

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
**ORDER**

APPLICATION 4351

PERMIT 2098

LICENSE 1200

ORDER AMENDING LICENSE

WHEREAS License 1200 was issued on Application 4351, Permit 2098, under date of May 7, 1932, and specified the place of use as being in Township 10 North, Range 3 West, M.D.B.&M., and

WHEREAS it appears that the correct location of the place of use should be Township 10 North, Range 3 East, M.D.B.&M.,

NOW THEREFORE IT IS HEREBY ORDERED that License 1200 be and is hereby amended by changing the place of use to read as follows, to wit:

8	acres	within	the	SW $\frac{1}{4}$	of	SE $\frac{1}{4}$	of	Section	2,	T 10 N,	R 3 E,	M.D.B.&M.
14	"	"	"	SE $\frac{1}{4}$	of	SW $\frac{1}{4}$	"	"	"	"	"	"
14	"	"	"	SW $\frac{1}{4}$	of	SW $\frac{1}{4}$	"	"	"	"	"	"
14	"	"	"	SE $\frac{1}{4}$	of	SE $\frac{1}{4}$	"	Section	3,	"	"	"
14	"	"	"	SW $\frac{1}{4}$	of	SE $\frac{1}{4}$	"	"	"	"	"	"
5	"	"	"	SE $\frac{1}{4}$	of	SW $\frac{1}{4}$	"	"	"	"	"	"
3	"	"	"	NE $\frac{1}{4}$	of	NW $\frac{1}{4}$	"	Section	10,	"	"	"
6	"	"	"	NW $\frac{1}{4}$	of	NE $\frac{1}{4}$	"	"	"	"	"	"
6	"	"	"	NE $\frac{1}{4}$	of	NE $\frac{1}{4}$	"	"	"	"	"	"
6	"	"	"	NW $\frac{1}{4}$	of	NW $\frac{1}{4}$	"	Section	11,	"	"	"
6	"	"	"	NE $\frac{1}{4}$	of	NW $\frac{1}{4}$	"	"	"	"	"	"
4	"	"	"	NW $\frac{1}{4}$	of	NE $\frac{1}{4}$	"	"	"	"	"	"

100 acres, total.

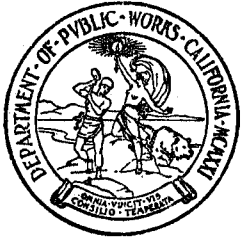
WITNESS my hand and the seal of the Department of Public Works of the State of California, this ninth day of October, 1941.

EDWARD HYATT, STATE ENGINEER

BY

Harold Conkling  
Deputy State Engineer





STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES

Notice of Assignment (Over)

License for Diversion and Use of Water

LICENSE 1200

PERMIT 2098

APPLICATION 4351

ASSIGNMENT MADE

THIS IS TO CERTIFY, That California Trust and Savings Bank of Sacramento, California <sup>has</sup> made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of Sacramento River in Yolo County

tributary of Suisun Bay

for the purpose of irrigation use

under Permit 2098 of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from December 4, 1924;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed thirty-seven hundredths (0.37) cubic foot per second from about May 1st to about October 1st of each season. In case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights. 727

As there is a possibility that there will not be sufficient water in Sacramento River during the latter part of the irrigation season to satisfy all requirements, this license is issued subject to the express condition that the use hereunder may be regulated by the Division of Water Resources during such periods of water scarcity to the end that such use will not interfere with rights under prior applications. 0000090

The point of diversion of such water is located East one thousand (1000) feet from the one-quarter corner common to Sections 2 and 11, T 10 N, R 3 E, M.D.B. & M. being within the SW<sup>1</sup> of SE<sup>1</sup> of said Section 2.

A description of the lands or the place where such water is put to beneficial use is as follows:

8	acres within the SW <sup>1</sup> of SE <sup>1</sup> of Section 2, T 10 N, R 3 E, M.D.B. & M.
14	" " SE <sup>1</sup> of SW <sup>1</sup> " " " "
14	" " SW <sup>1</sup> of SW <sup>1</sup> " " " "
14	" " SE <sup>1</sup> of SE <sup>1</sup> " 3, " " "
14	" " SW <sup>1</sup> of SE <sup>1</sup> " " " "
5	" " SE <sup>1</sup> of SW <sup>1</sup> " " " "
3	" " NE <sup>1</sup> of NW <sup>1</sup> " 10 " " "
6	" " NW <sup>1</sup> of NE <sup>1</sup> " " " "
6	" " NE <sup>1</sup> of NE <sup>1</sup> " " " "
6	" " NW <sup>1</sup> of NW <sup>1</sup> " 11 " " "
6	" " NE <sup>1</sup> of NW <sup>1</sup> " " " "
4	" " NW <sup>1</sup> of NE <sup>1</sup> " " " "
100	acres - Total

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes 1913, which is as follows:

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided*, that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, therein expressed, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided, however*, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and *providing, further*, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs thereof, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and *providing, further*, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and *providing, further*, that when such municipality shall desire to use the additional waters granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this 7th day of May, 1932

EDWARD HYATT  
State Engineer

By Harold Conkling  
Deputy



6/26/41

RECEIVED NOTICE OF ASSIGNMENT TO

California Trust & Savings Bank

5/28/41

RECEIVED NOTICE OF ASSIGNMENT TO

California Trust and Savings Bank, in liquidation

1/6/43

RECEIVED NOTICE OF ASSIGNMENT TO

Henry M. Rich & M. L. Rich

11-5-72 Records chgd to show Edmund J. Young & Co. Trust of Latter Day Saints, Frank & Ruth Long, Layton Knaggs & Hershey Estate as owners

LICENSE 1200

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Calif. Trust & Savings Bank

DATED May 7, 1932

219-72 Records chgd to show 6-bunch  
of years to hist of Latter Day Saints  
(Deseret Farms) Layton Knaggs & Frank  
& Ruth Long as owners

10/31/98 asgd. to Knaggs Farming Company, L.P. & Hersey Land Co.

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 4351

PERMIT 2098

LICENSE 1200

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION

Licensees having established to the satisfaction of the State Water Rights Board that the change in points of diversion under Application 4351, Permit 2098, License 1200 for which petition was submitted on April 3, 1952, will not operate to the injury of any other legal user of water, the State Water Rights Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said Application 4351, Permit 2098, License 1200 to points of diversion described as follows, to wit:

1. KELLER PLANT - NORTH TWENTY-EIGHT DEGREES AND FIVE MINUTES EAST ( $N28^{\circ}05'E$ ) TWO THOUSAND TWO HUNDRED THIRTY (2230) FEET FROM THE SW CORNER OF SECTION 27, T11N, R3E, MDB&M, BEING WITHIN  $NW\frac{1}{4}$  OF  $SW\frac{1}{4}$  OF SAID SECTION 27.

2. LUCE PLANT - SOUTH FIFTY-ONE DEGREES EAST ( $S51^{\circ}00'E$ ) SIX HUNDRED FIVE (605) FEET FROM THE NW CORNER OF SECTION 1, T10N, R3E, MDB&M, BEING WITHIN  $NW\frac{1}{4}$  OF  $NW\frac{1}{4}$  OF SAID SECTION 1.

3. ROSE PLANT - NORTH EIGHTY DEGREES EAST ( $N80^{\circ}00'E$ ) FOUR THOUSAND (4000) FEET FROM THE SW CORNER OF SECTION 2, T10N, R3E, MDB&M, BEING WITHIN  $SE\frac{1}{4}$  OF  $SE\frac{1}{4}$  OF SAID SECTION 2.

4. HERSHEY PLANT - SOUTH SIXTY-NINE DEGREES FORTY-FIVE MINUTES EAST ( $S69^{\circ}45'E$ ) THREE THOUSAND SIX HUNDRED (3600) FEET FROM THE NW CORNER OF SECTION 11, T10N, R3E, MDB&M, BEING WITHIN  $NW\frac{1}{4}$  OF  $NE\frac{1}{4}$  OF SAID SECTION 11.

5. KNIGHTS LANDING OUTFALL GATES - NORTH SEVENTEEN DEGREES EAST ( $N17^{\circ}00'E$ ) TWO THOUSAND SIX HUNDRED SIXTY (2660) FEET FROM THE SW CORNER OF SECTION 14, T11N, R2E, MDB&M, BEING WITHIN  $NW\frac{1}{4}$  OF  $SW\frac{1}{4}$  OF SAID SECTION 14.

L 1700

CHANGE ORDER No. 74

IT IS HEREBY ORDERED that permission be, and the same is, granted:

1. To change the points of diversion under Permits 1646, 2514, 2515, and 2811, as follows:

Diversion Point (1) Movable points of diversion along Sacramento River between limits as follows: (a) Keller Pumping Plant located N 28° 05' E, 2230 feet from SW corner of Section 27, T11N, R3E, MDB&M, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 27, and (b) Hershey Pumping Plant located S 69° 45' E, 3600 feet from NW corner of Section 11, T10N, R3E, MDB&M, being within NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 11.

Diversion Point (2) Knights Landing Outfall gates located N 17° 00' E, 2660 feet from SW corner of Section 14, T11N, R2E, MDB&M, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 14.

2. To change the place of use under Permits 1646, 2514, 2515, and 2811 to 2,931 net acres within a gross area of 4,331 acres, as follows:

15.9	acres within Section 27,	T11N, R3E, MDB&M
563.	acres within Section 34,	" " "
250.1	acres within Section 35,	" " "
2.	acres within Section 1,	T10N, " "
508.	acres within Section 2,	" " "
547.	acres within Section 3,	" " "
320.	acres within Section 4,	" " "
60.	acres within Section 5,	" " "
70.	acres within Section 8,	" " "
610.	acres within Section 9,	" " "
568.	acres within Section 10,	" " "
370.	acres within Section 11,	" " "
157.	acres within Section 15,	" " "
<u>290.</u>	acres within Section 16,	" " "

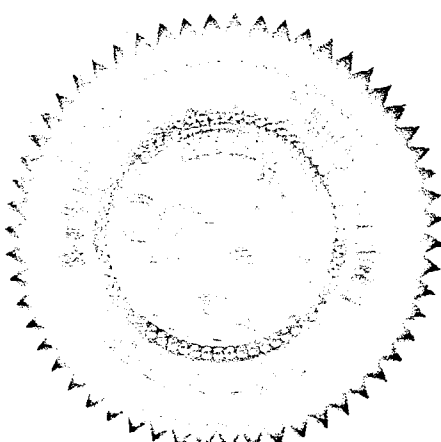
4,331.0 acres

Permission to change the place of use granted by this order is subject to the following condition:

Irrigation of lands west of the Tule Canal under Permits 1646, 2514, 2515, 2811, and License 1200 in any year shall be allowed only to the extent that lands irrigated the same year within the authorized place of use east of the Tule Canal, whether under said permits and license or under any other right, are less than 2,931 acres.

IT IS FURTHER ORDERED that the time for completion of beneficial use of water under Permits 1646, 2514, 2515, and 2811 is extended to December 1, 1966, provided the amount of water diverted under Permit 2811 (Application 5359) shall be limited to 4.26 cfs.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California, this 22nd day of January, 1964.



Kent Silverthorne  
Kent Silverthorne, Chairman

Ralph J. McGill  
Ralph J. McGill Member

W. A. Alexander  
W. A. Alexander, Member

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 4351

PERMIT 2098

LICENSE 1200

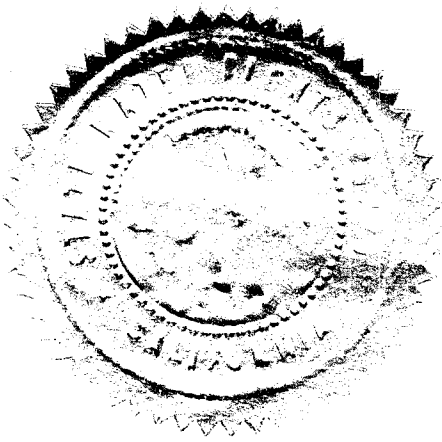
6. ALVES UPPER PLANT - NORTH TWENTY-NINE DEGREES AND FORTY-FIVE MINUTES EAST ( $N29^{\circ}45'E$ ) THREE THOUSAND THREE HUNDRED FORTY (3340) FEET FROM THE SW CORNER OF SECTION 36, T11N, R3E, MDB&M, BEING WITHIN  $SE\frac{1}{4}$  OF  $NW\frac{1}{4}$  OF SAID SECTION 36.

7. ALVES LOWER PLANT - NORTH THIRTY-FIVE DEGREES AND FIFTEEN MINUTES EAST ( $N35^{\circ}15'E$ ) TWO THOUSAND ONE HUNDRED FIFTY (2150) FEET FROM THE SW CORNER OF SECTION 36, T11N, R3E, MDB&M, BEING WITHIN  $NW\frac{1}{4}$  OF  $SW\frac{1}{4}$  OF SAID SECTION 36.

8. BEACH PLANT - SOUTH TEN DEGREES AND THIRTY MINUTES WEST ( $S10^{\circ}30'W$ ) ONE THOUSAND EIGHT HUNDRED TWENTY (1820) FEET FROM THE NE CORNER OF SECTION 2, T10N, R3E, MDB&M, BEING WITHIN THE  $SE\frac{1}{4}$  OF  $NE\frac{1}{4}$  OF SAID SECTION 2.

WITNESS my hand and the seal of the State Water Rights  
Board of the State of California this 12<sup>th</sup> day of June, 1958

*L. K. Hill*  
L. K. Hill  
Executive Officer







STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES

ORDER

APPLICATION 4351

PERMIT 2098

LICENSE 1200

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION  
AND PLACE OF USE

Licensee having established to the satisfaction of the Division of Water Resources that the change in points of diversion and place of use under Application 4351, Permit 2098, License 1200 for which petition was submitted on March 15, 1943 will not operate to the injury of any other legal user of water, the Division of Water Resources so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said Application 4351, Permit 2098, License 1200 to points of diversion described as follows to-wit:

KELLER PLANT N  $28^{\circ} 05'$  E, 2230' FROM THE SW CORNER OF SECTION 27, T 11 N, R 3 E, M.D.B.&M., BEING WITHIN THE NW $\frac{1}{4}$  SW $\frac{1}{4}$  OF SAID SECTION 27,

LUCE PLANT S  $51^{\circ} 00'$  E, 605' FROM THE NW CORNER OF SECTION 1, T 10 N, R 3 E, M.D.B.&M., BEING WITHIN THE NW $\frac{1}{4}$  NW $\frac{1}{4}$  OF SAID SECTION 1.

ROSE PLANT N  $80^{\circ} 00'$  E, 4000' FROM THE SW CORNER OF SECTION 2, T 10 N, R 3 E, M.D.B.&M., BEING WITHIN THE SE $\frac{1}{4}$  SE $\frac{1}{4}$  OF SAID SECTION 2,

HERSHEY PLANT S  $69^{\circ} 45'$  E, 3600' FROM THE NW CORNER OF SECTION 11, T 10 N, R 3 E, M.D.B.&M., BEING WITHIN THE NW $\frac{1}{4}$  NE $\frac{1}{4}$  OF SAID SECTION 11.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 4351, Permit 2098, License 1200 to a place of use described as follows to-wit:

2931 ACRES IN SECTIONS 27, 34 AND 35, T 11 N, R 3 E, M.D.B. & M., AND SECTIONS 1, 2, 3, 10, 11 AND 15, T 10 N, R 3 E, M.D.B. & M., ALL AS SHOWN ON MAP FILED WITH THE DIVISION OF WATER RESOURCES.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 14th day of April, 1943.

EDWARD HYATT, STATE ENGINEER



By \_\_\_\_\_  
Deputy State Engineer.

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